

City Council  
Atlanta, Georgia

**08-0 -0522**

**U-08-08**

AN ORDINANCE  
BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16-13.005 (1) (g) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **HOTEL**, is hereby approved. Said use is granted to **RICHARD M. PATTON/NEW SOUTH PARTNERS, LLC** and is to be located at **3172 Roswell Road, N.W.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 99, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

## 3172 Roswell Road

RECEIVED  
FEB 12 2008  
Bureau of  
Planning

### TRACT I

All that tract or parcel of land lying and being in the City of Atlanta in Land Lot 99 of the 17th District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin marking the point of intersection of the northwesterly right-of-way line of Roswell Road and the northerly right-of-way line of Irby Avenue and running thence in a westerly direction along the northerly right-of-way line of Irby Avenue, a distance of 150.60 feet to a steel spike; running thence in a northerly direction along a line which forms an interior angle of 90 degrees 24 minutes 15 seconds with the preceding course, a distance of 50.40 feet to an iron pin set at the corner of a block wall; running thence in a westerly direction along a line which forms an interior angle of 269 degrees 29 minutes 25 seconds with the preceding course, a distance of 49.80 feet to an iron pin; running thence in a northerly direction along a line which forms an interior angle of 91 degrees 11 minutes 20 seconds with the preceding course, a distance of 149.50 feet to an iron pin; running thence in an easterly direction along a line which forms an interior angle of 88 degrees 19 minutes 45 seconds with the preceding course, a distance of 55.00 feet to an iron pin; running thence in a southwesterly direction along a line which forms an interior angle of 81 degrees 19 minutes 00 seconds with the preceding course, a distance of 10.00 feet to an iron pin; running thence in an easterly direction along a line which forms an interior angle of 278 degrees 41 minutes 00 seconds with the preceding course, a distance of 200.00 feet to an iron pin located on the northwesterly right-of-way line of Roswell Road; running thence in a southwesterly direction along said right-of-way line, said line forming an interior angle of 76 degrees 23 minutes 00 seconds with the preceding course, a distance of 124.00 feet to an iron pin; running thence in a southwesterly direction along said right-of-way line, said line forming an interior angle of 178 degrees 08 minutes 30 seconds with the preceding course, a distance of 70.00 feet to the iron pin marking the point of intersection of the northwesterly right-of-way line of Roswell Road and the northerly right-of-way line of Irby Avenue and the point of beginning; as per survey for "Sanford H. Orkin," prepared by R. L. Rhinehart, Georgia Registered Land Surveyor No. 1476, dated November 15, 1976, and containing 0.94 acre (40,965 square feet) according to said survey; being improved property known as No. 3172 Roswell Road, N. W., according to the present system of numbering in the City of Atlanta, Georgia.

Plus an undivided one-half interest in:

### TRACT II

All that tract or parcel of land lying and being in the City of Atlanta in Land Lot 99 of the 17th District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin located on the northwesterly right-of-way line of Roswell Road; a distance of 194.00 feet as measured northeasterly along said right-of-way line from an iron pin marking the point of intersection of the northwesterly right-of-way line of Roswell Road and the northerly right-of-way line of Irby Avenue; running thence in a westerly direction a distance of 200.00 feet to an iron pin; running thence in a northeasterly direction along a line which forms an exterior angle of 278 degrees 41 minutes 00 seconds with the preceding course, a distance of 10.00 feet to an iron pin; running thence in an easterly direction a distance of 200.00 feet to an iron pin located on the northwesterly right-of-way line of Roswell Road; running thence in a southwesterly direction along said right-of-way line, said line forming an interior angle of 81 degrees 19 minutes 00 seconds with the preceding course, a distance of 10.00 feet to the iron pin at the point of beginning; as per survey for "Sanford H. Orkin," prepared by R. L. Rhinehart, Georgia Registered Land Surveyor No. 1476, dated November 15, 1976.

U-08-008